

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CHINA EDUCATION ALLIANCE, INC.,

Plaintiff,

-against-

SHERB & CO., LLP,

Defendant.

Civil Action No.
1:13-CV-4381-RA

NOTICE OF MOTION

JUDGE: Ronnie Abrams

PLEASE TAKE NOTICE that upon this notice of motion, the Declaration of Thomas A. Leghorn, dated August 15, 2012, with exhibits, and the accompanying supporting memorandum of law, and upon the pleadings and proceedings had herein, the undersigned will move this Court on a date to be set by the Court or as soon thereafter as counsel can be heard, before the Hon. Ronnie Abrams at the United States Courthouse for the Southern District, 40 Foley Square, Courtroom 1506, New York, New York 11201, for an order, compelling arbitration of this matter pursuant to the FAA and 9 U.S.C. § 2 and, pursuant to Fed. R. Civ. P. 12(b)(1) and (6), dismissing each and every cause of action set forth within Plaintiff's Complaint together with such other and further relief as this Court deems just and proper.

Dated: New York, NY
August 15, 2013

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: /s/ Thomas A. Leghorn
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Attn: Sameer Rastogi, Esq.
Christopher Pisacane, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 15, 2013, a true and correct copy of NOTICE OF MOTION was filed electronically with the Court using the CM/ECF system, which sent notification to the following parties:

SICHENZIA ROSS FRIEDMAN FERENCE LLP
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(212) 930-9700
Attn: Sameer Rastogi, Esq.
Christopher Pisacane, Esq.

/s/ Thomas A. Leghorn

Thomas A. Leghorn